

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

RONNIE LEE THOMAS, #1129350                   §  
VS.                                                       §                   CIVIL ACTION NO. 6:12cv583  
DIRECTOR, TDCJ-CID                           §

ORDER OF DISMISSAL

Petitioner Ronnie Lee Thomas, an inmate confined in the Texas prison system, proceeding *pro se*, filed the above-styled and numbered petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 complaining that he had not yet been released. The cause of action was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the petition for a writ of habeas corpus should be denied. The Petitioner has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Petitioner to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Petitioner are without merit. He has not served all of his 25 year sentence in actual calendar time. The State of Texas is not obligated to release him before he serves his entire sentence, such as on parole. Contrary to his arguments in the objections, he does not have a protected liberty interest in parole. *See Malchi v. Thaler*, 211 F.3d 953, 958 (5th Cir. 2000). Moreover he is not eligible for release on mandatory supervision. Consequently, he is not entitled to be released until he serves his entire 25 year sentence in calendar (flat) time. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Report and Recommendation (docket entry #9) is **ADOPTED**. It is further

**ORDERED** that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is finally

**ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**It is SO ORDERED.**

**SIGNED this 11th day of October, 2012.**

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE